

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

May 06, 2021

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

BRIAN B.,

No. 4:20-CV-5166-JTR

v.

ANDREW M. SAUL,
COMMISSIONER OF SOCIAL
SECURITY,

ORDER GRANTING STIPULATED
MOTION FOR REMAND
PURSUANT TO SENTENCE FOUR
OF 42 U.S.C. § 405(g)

Defendant.

BEFORE THE COURT is the parties' stipulated motion to remand the above-captioned matter to the Commissioner for additional administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). ECF No. 18. Attorney D. James Tree represents Plaintiff; Special Assistant United States Attorney Alexis L. Toma represents Defendant. The parties have consented to proceed before a magistrate judge. ECF No. 6. After considering the file and proposed order, **IT IS ORDERED:**

1. The parties' Stipulated Motion for Remand, **ECF No. 18**, is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative action pursuant to sentence four of 42 U.S.C. § 405(g).

On remand, the Administrative Law Judge (ALJ) shall offer Plaintiff the opportunity for a new hearing and issue a new decision. The ALJ is further directed to: (1) reevaluate Plaintiff's impairments; (2) obtain evidence from a

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1 psychological or psychiatric expert to clarify the nature, severity, and effects of
2 Plaintiff's mental impairments; (3) reevaluate the medical evidence in the record;
3 (4) reevaluate Plaintiff's alleged symptoms; (5) reevaluate Plaintiff's maximum
4 residual functional capacity; (6) if warranted by the expanded record, obtain
5 supplemental vocational expert evidence to clarify the effect of the assessed
6 limitations on Plaintiff's ability to perform other work in the national economy;
7 and (7) take any further action needed to complete the administrative record.

8 2. **Judgment shall be entered for PLAINTIFF.**

9 3. Plaintiff's Motion for Summary Judgment, **ECF No. 16**, is
10 **STRICKEN AS MOOT.**

11 4. An application for attorney fees and costs may be filed by separate
12 motion.

13 The District Court Executive is directed to enter this Order, forward copies
14 to counsel, and **CLOSE THE FILE.**

15 DATED May 6, 2021.

A handwritten signature in black ink, appearing to be "M", is written over a horizontal line.

JOHN T. RODGERS
UNITED STATES MAGISTRATE JUDGE